

DOCKET NO. FST-CV15-5014808-S	)	SUPERIOR COURT
	)	
WILLIAM A. LOMAS	)	JUDICIAL DISTRICT OF
	)	STAMFORD/NORWALK
Plaintiff,	)	
	)	
v.	)	AT STAMFORD
	)	
PARTNER WEALTH MANAGEMENT, LLC,	)	
KEVIN G. BURNS, JAMES PRATT-HEANEY,	)	
WILLIAM P. LOFTUS	)	
	)	OCTOBER 6, 2016
Defendants.	)	

**JOINT MOTION FOR CONTINUANCE OF TRIAL, STATUS CONFERENCE, AND  
ENTRY OF SCHEDULING ORDER**

Plaintiff, William A. Lomas (“Plaintiff”), and Defendants, Partner Wealth Management, LLC, Kevin Burns, James Pratt-Heaney, and William P. Loftus (“Defendants”) (Plaintiff and Defendants are collectively referred to as the “Parties”), jointly move to continue the trial in the above-captioned action, for a status conference, and for entry of a scheduling order to close the pleadings and to complete discovery. In support of this joint motion the Parties represent as follows:

1. Plaintiff commenced this action by writ of summons and complaint dated June 26, 2015, made returnable to this Court on August 18, 2015 (Dkt. No. 100.32).
2. On October 29, 2015 the Court scheduled this matter for a jury trial commencing November 9, 2016 (Dkt. No. 130.00).
3. Since this Court scheduled this matter for trial, Plaintiff has filed an Amended Complaint (Dkt. No. 136.00), the parties have engaged in settlement discussions, and Defendants

have changed pro hac vice counsel (Dkt. Nos. 139.00, 140.00, 141.00), and moved to strike certain causes of action in Plaintiff's Amended Complaint (Dkt. No. 137.00).

4. The Court denied Defendants' Motion to Strike in its entirety on September 1, 2016 (Dkt. No. 137.01).

5. On September 23, 2016, Defendants filed an Answer, Special Defenses and Counterclaim Complaint (Dkt. No. 184.00).

6. The pleadings are not closed, and Plaintiff plans to challenge the Counterclaim through motion practice.

7. Fact discovery is not complete and expert witness disclosures have commenced, but only in part. The parties have completed much of their written discovery, and are conferring to resolve outstanding issues related to that written discovery. In addition, although seven (7) days of fact depositions have been completed, Plaintiff maintains that further fact depositions are needed, including depositions outside of Connecticut (in New York<sup>1</sup> and Florida). Finally, initial disclosures of experts must be completed, rebuttal disclosures made, and any final expert witness discovery concluded.

8. In light of the foregoing, including the fact that the pleadings will not be closed by November 9, 2016, the trial presently scheduled to commence on that day must be continued.

9. The Parties expect to be able to close the pleadings and conclude all remaining discovery during the next six (6) months. Subject to the Courts' availability, the Parties jointly request that the jury trial presently scheduled for November 9, 2016, be continued to a new date

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<sup>1</sup> Plaintiff has moved for a commission to take the out of state deposition of Attorney David Lagasse (Dkt. No. 183.00). Defendants have filed an objection (Dkt. No. 190.00). The motion has not yet been decided by the Court. In addition, Plaintiff presently anticipates the need to take one other deposition in New York.

in 2017. Defendants request that a trial be scheduled in April or May, 2017. Plaintiff is agreeable to a trial in April or May, 2017, provided that sufficient time is afforded for him to file, the Parties to brief, and the Court to decide motions that are important to Plaintiff's defense of the Counterclaims.

**WHEREFORE**, for the foregoing reasons, the Parties respectfully request that this Court continue the trial of this matter until sometime during the second quarter of 2017, hold a status conference, and set and enter a scheduling order to close the pleadings and to complete discovery in this matter.

The Plaintiff,  
William A. Lomas,

By: 

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The Defendants,  
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Kevin G. Burns, James Pratt-Heaney and  
William P. Loftus,

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**CERTIFICATE OF SERVICE**

This is to certify that on October 6, 2016, a copy of the foregoing was served by e-mail and first class mail, postage prepaid, to all counsel of record as follows:

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/s/Thomas J. Rechen  
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